

Before the
United States of America
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Creation Of A)	Docket 99-25
)	
Low Power Radio Service)	

REPLY COMMENTS OF
CONNECTICUT CITIZENS FOR INDEPENDENT MEDIA

CONNECTICUT CITIZENS FOR INDEPENDENT MEDIA is a new organization, formed on September 12, 2011 in response to the prospect of a new Low Power FM (LPFM) filing “window” during the summer of 2012.

As our initial project, we intend to identify, recruit and assist worthy applicants for new LPFM licenses in the State of Connecticut. At present, we are primarily focused on locations in central and southern Connecticut. When and if additional volunteers become available, we may be active in other parts of the state.

The leaders of Connecticut Citizens for Independent Media are Wesli Dymoke, Coordinator, and Don Schellhardt, Esquire, Director of Public Affairs. Wesli is Executive Director of PROVIDENCE COMMUNITY RADIO and President Emeritus of THE AMHERST ALLIANCE. Don is the current President of THE AMHERST ALLIANCE, as well as one of Amherst’s two Co-Founders.

Despite our personal ties to THE AMHERST ALLIANCE, Connecticut Citizens for Independent Media is a separate and independent organization, and may or may not share the same views. In these Reply Comments, we share the conclusions of the four original co-sponsors of the Local Community Radio Act (LCRA)—Senator Maria Cantwell (D-WA), Senator John McCain (R-AZ), Representative Lee Terry (R-NB) and Representative Mike Doyle (D-PA)—in their July 12, 2011 letter to the FCC. These legislators essentially stated that the Commission’s “market-by-market” approach to resolving the conflict between new LPFM applicants and pending translator applicants is consistent with their legislative intent when they crafted the LCRA.

We add that, under Section 5 (1) of the LCRA, legislative intent would be *violated* by any approach which fails to preserve a significant number of licensing opportunities for *new* LPFM stations in *all* markets where this is possible. In a letter sent to the Commission on September 8, 2011 (but for some reason not yet placed in FCC Docket 99-25), 28 Congressional Representatives reminded the Commission of this statutory mandate.

The statutory interpretation of the LCRA, by those who sponsored it or supported it in Congress, can be summarized as follows:

Selective dismissal of pending translator applicants, to the degree needed to preserve a significant number of new LPFM frequencies, in all markets where this is possible, is the wisest, and most legally sustainable, way for the Commission to proceed.

While strongly endorsing this general framework for progress, we also believe the Commission should refine its currently contemplated methodology for identifying which kind of frequencies are available for which kind of stations.

We acknowledge, and appreciate, all of the good work that the Commission has done so far. Nevertheless, we agree with KWMR, REC NETWORKS, PROMETHEUS RADIO PROJECT, COMMON FREQUENCY and others that the final version of the Commission’s methodology should

examine much smaller units of geographical territory in order to gain a much more accurate picture of what is actually available. Higher resolution analysis is needed.

We add that we do not necessarily agree with every detail of every modification that has been proposed by various parties in recently filed Written Comments. Nevertheless, we strongly second the general assertion that Arbitron Markets are too large—and too vague—for the Commission’s present purposes. The Commission should be employing, in its analysis, the smallest units of geographical territory that are practical.

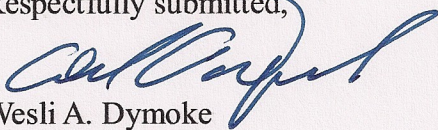
In saying this, we speak as a group which: (a) is engaged in the identification and recruitment of worthy new LPFM applicants in Connecticut, where spectrum availability is much lower than the national norm; and (b) is led by a woman who also leads an organization that actively prosecuted an LPFM license application, and later a full-power NCE station application, in Providence, Rhode Island, where spectrum availability is even lower.

The LCRA clearly seeks to facilitate new LPFM applicants in such areas—and LPFM applicants in such areas need all the facilitation they can get.

Please do the methodology right.

For the reasons set forth in these Reply Comments, CONNECTICUT CITIZENS FOR INDEPENDENT MEDIA urges the Federal Communications Commission to adopt our group’s recommendations and proceed accordingly.

Respectfully submitted,



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